

**RECEIVED**

MAR 15 2021

RICHARD W. NAGEL, CLERK OF COURT  
COLUMBUS, OHIO

## UNITED STATES DISTRICT COURT

for the

## SOUTHERN DISTRICT OF OHIO

JESSICA THOMAS

Case No.

2 2 1 C V 1 1 1 7

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☒ Yes ☐ No

Judge Morrison

MAGISTRATE JUDGE JOLSON

COLUMBUS CITY SCHOOLS

(COLUMBUS BOARD OF EDUCATION), SHERYL STEVENS, M.D., DAVID TAYLOR, BETTY HILL, Ph.D. Mary Anne Baumgardner AND SHERRY WILLIAMS, Miss Wright

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR EMPLOYMENT DISCRIMINATION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	JESSICA THOMAS
Street Address	1440 KOHR PLACE
City and County	COLUMBUS, FRANKLIN COUNTY
State and Zip Code	OHIO 43211
Telephone Number	380-210-8570
E-mail Address	JESSICAT23236868@PROTONMAIL.COM

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

## Defendant No. 1

Name COLUMBUS CITY SCHOOLS (Columbus Board of Education)  
 Job or Title (if known)  
 Street Address 270 EAST STATE STREET  
 City and County COLUMBUS, FRANKLIN COUNTY  
 State and Zip Code OHIO 43215  
 Telephone Number (JT) 614-365-5000  
 E-mail Address (if known)

## Defendant No. 2

Name SHERYL STEVENS, M.D.  
 Job or Title (if known) PHYSICIAN  
 Street Address 270 EAST STATE STREET  
 City and County COLUMBUS, FRANKLIN COUNTY  
 State and Zip Code OHIO 43215  
 Telephone Number (JT) 614-365-5000  
 E-mail Address (if known)

## Defendant No. 3

Name DAVID TAYLOR AND MIRA WRIGHT (AND Mary Anne Baum)  
 Job or Title (if known) HR - HEARING OFFICER, AND EXECUTIVE DIRECTOR, AND Employee Relations  
 Street Address 270 EAST STATE STREET  
 City and County COLUMBUS, FRANKLIN COUNTY  
 State and Zip Code OHIO 43215  
 Telephone Number (JT) 614-365-5000  
 E-mail Address (if known)

## Defendant No. 4

Name BETTY HILL, Ph.D. AND SHERRY WILLIAMS  
 Job or Title (if known) ADMINISTRATORS  
 Street Address 270 EAST STATE STREET  
 City and County COLUMBUS, FRANKLIN COUNTY  
 State and Zip Code OHIO 43215  
 Telephone Number (JT) 614-365-5000  
 E-mail Address (if known)

**C. Place of Employment**

The address at which I sought employment or was employed by the defendant(s) is

Name	COLUMBUS CITY SCHOOLS
Street Address	270 EAST STATE STREET
City and County	COLUMBUS, FRANKLIN COUNTY
State and Zip Code	OHIO, 43215
Telephone Number	614-365-5000

**II. Basis for Jurisdiction**

This action is brought for discrimination in employment pursuant to (check all that apply):

☐

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

☐

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*

☒

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

☒

Other federal law (specify the federal law):

family and medical leave act

☒

Relevant state law (specify, if known):

OHIO FAIR EMPLOYMENT PRACTICES LAWS (OHIO REV. CODE CHAPTER 4112)

☐

Relevant city or county law (specify, if known):



**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:



Failure to hire me.

Termination of my employment.

Failure to promote me.

Failure to accommodate my disability.

Unequal terms and conditions of my employment.

Retaliation.

Other acts *(specify)*: UNLAWFUL DISCIPLINARY ACTION

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

JUNE 2018 TO PRESENT MOMENT

C. I believe that defendant(s) *(check one)*:



is/are still committing these acts against me.

is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:



race

color

gender/sex

religion

national origin

age *(year of birth)*

*(only when asserting a claim of age discrimination.)*

disability or perceived disability *(specify disability)*

DEPRESSION, OBSESSIVE COMPULSIVE DISORDER (OCD)

E. The facts of my case are as follows. Attach additional pages if needed.

THE PLAINTIFF WAS EMPLOYED BY THE DEFENDANT ORGANIZATION AND COMPLAINED OF VARIOUS ACTS OF MISCONDUCT (WHISTLEBLOWING) RESULTING IN VARIOUS FORMS OF UNEQUAL TREATMENT ON THE BASIS OF GENDER AND DISABILITY INCLUDING BUT NOT LIMITED TO THE WRONGFUL TREATMENT OF THE PLAINTIFF IN VIOLATION OF THE FMLA, CONSTRUCTIVE RESIGNATION, AS WELL AS EMPLOYMENT DISCRIMINATION LAWS THEREBY GIVING RISE TO THE INSTANT COMPLAINT. PLAINTIFF WAS ALSO TREATED UNEQUALLY RELATIVE TO OTHER INDIVIDUALS EMPLOYED AT THE ORGANIZATION WITH REGARDS TO BEING ENTITLED TO MEDICAL LEAVE THEREBY GIVING RISE TO A PRIMA FACIE CASE OF DISCRIMINATION - SEE ATTACHED. (JT)

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

#### IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date) \_\_\_\_\_

The Plaintiff has other claims besides discrimination in the instant matter and therefore is entitled to be able to start the instant action pending EEOC determination on the discrimination claims. EEOC instructed Plaintiff to file with the Department of Labor - Wage and Hour Division instead.

- B. The Equal Employment Opportunity Commission (check one):



has not issued a Notice of Right to Sue letter.



issued a Notice of Right to Sue letter, which I received on (date) \_\_\_\_\_

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):



60 days or more have elapsed.



less than 60 days have elapsed.



N/A - was told to file with the Department of Labor - Wage and Hour Division Instead (by the EEOC's instruction, I did this) (JT)

#### V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.



Damages and Demands - 1. Loss of \$274.00 gross wages per work day between June 1, 2020 and August 8, 2020 totaling: \$13,700. 2. Loss of \$142.80 gross wages per work day after becoming re-employed at Ranstad on August 10, 2020: \$4,141.20. 3. Losses accumulated from no longer being able to afford health insurance: pending and accumulating. 4. Loss of retirement/STRS account contributions during the unpaid leave of absence: approximately \$4,000. 5. Losses while unpaid from January 16, 2019 to March 2, 2019: approximately \$4400. 6. Loss of paid sick time (I was unable to accrue sick time during the leave of absence): approximately \$600. 7. Front pay based on that I was unable to secure a similar teaching position in the central Ohio area. The differential of \$142.80 X 260 work days = a differential annually until re-employed: \$37,128. 8. Double the amount of damages related to the FMLA violation (according to FMLA law). 9. Legal fees, consultant fees, paralegal fees, court fees: pending and accumulating. 10. Out-of-pocket Counseling Expenses from June 2018-present: pending and accumulating. 11. Punitive damages as well as pain and suffering due to - a) egregious retaliatory behavior by Defendant in retaliation for reporting Edwards and Hill and HR with no resolution, and b) FMLA violation (precedent has been established by at least one Ohio FMLA violation case). ~~\$500,000~~ (JT)

## VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3/15/2020

Signature of Plaintiff

Printed Name of Plaintiff

Jessica Thomas

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address